

### REMARKS

Claims 33 to 53 are pending in the present application. Claims 46-52 have been withdrawn from consideration. Applicants reserve the right to pursue previously cancelled subject matter in one or more related applications. No new matter has been added to the application.

The Office Action issued by Examiner has been carefully reviewed and considered. In the Office Action, Examiner has listed three (3) groups as follows:

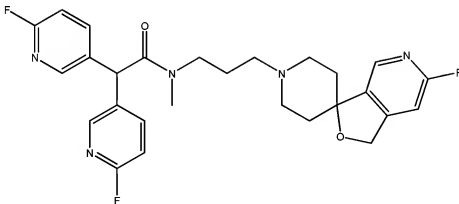
Group I, claim 33-45 and 53 drawn to spiro-compounds and processes of making such compounds;

Group II, claim 46, drawn to piperidiny compounds and processes of making such compounds; and

Group III, claim 47-52, drawn to methods of antagonizing MCH receptors.

Applicants elect Group I. Applicants note that if the claims drawn to the elected compounds are allowed, withdrawn process claims which depend from or otherwise include all the limitations of the allowable compound claims will be rejoined.

The Examiner also, requests that if Group I is elected that a further election of a single disclosed species is required. Thus, Applicants elect 2,2-bis(6-fluoro-3-pyridinyl)-N-methyl-N-[3-(spiro[5-fluoro-6- azaisobenzofuran-1(3H),4'- piperidin]- 1-yl)propyl]acetamide (Example 48), or a pharmaceutically acceptable salt thereof as a representative species. The structure is as follows:



CONCLUSION

Applicants earnestly solicit a favorable response from the examiner.

Respectfully submitted,

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